



1644

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Charles R. Maliszewski, Richard B. Gayle, III,
Virginia L. Price, and Steven D. Gimpel

Docket No.: 2879-US

Group Art Unit: 1644

Serial No: 09/835,147

Examiner: A. Decloux

Filed: April 13, 2001

For: INHIBITORS OF PLATELET ACTIVATION AND RECRUITMENT

U.S. Patent and Trademark Office
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Arlington, VA 22202

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202, on the date indicated below.

Date: January 16, 2003 Signed: 
Camilla C. Edwards

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

This responds to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed 16 December 2002. In response to the Notice to Comply, Applicants submit the following:

1. Substitute Sequence Listing in paper and CRF form;
2. Sequence Statement under 37 CFR 1.821 (f) and (g);
3. Amendment inserting the new sequence listing and sequence identifiers into the specification; and
4. Copy of the Notice to Comply.

Immunex Corporation
Law Department
51 University Street
Seattle, Washington 98101
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Respectfully submitted,



Julie K. Smith, Ph.D.
Registration No. 38,619

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JAN 28 2003

TECH CENTER 1600/2900

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):



- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Sequences lacking SEQ ID NO: tags are disclosed on page 13, lines 34-36, and page 14, line 1.

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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Any inquiry concerning this communication should be directed to
Examiner Amy DeCloux, Art Unit 1644, whose telephone number is (703)
306-5821.

Any inquiry of a general nature or relating to the status of this
application should be directed to the Group receptionist whose telephone
number is (703) 308-0196.

Amy DeCloux, Ph.D.
Patent Examiner
Art Unit 1644
December 10, 2002

Pat J. Nolan
Patrick J. Nolan, Ph.D.
Primary Patent Examiner
Group 1640

PATENT & TRADEMARK OFFICE
JAN 23 2003



COMMISSIONER
Washington, D.C.

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY
09/835,147	4-13-01	Maliszewski et al.	2879-US
RECEIVED		1	
JAN 28 2003		EXAMINER	
TECH CENTER 1600/2900		Amy DeCloux	
ART UNIT	PAPER NUMBER	8	
1644		DATE MAILED:	

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Sequences without SEQ ID tags are disclosed in the specification, including pages 13 and 14. Applicants are required to submit a CRF disk and paper copy of the sequences according to the attached "Notice to Comply with the Sequence Rules." Applicant is reminded of the sequence rules which require a submission for all sequences of more than 9 nucleotides or 3 amino acids (see 37 C.F.R. 1.821-1.825) and is also requested to carefully review the submitted specification for any and all sequences which require compliance with the rules.

Applicant is given TIME PERIOD of ONE EXTENDABLE MONTH, from the mailing date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the reply.

A reply to a notice to comply with the sequence rules should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office.

Please direct all replies to the United States Patent and Trademark Office via one (1) of the following:

1. Electronically submitted through EFS-Bio
(<http://www.uspto.gov/ebc/efs/downloads/documents.htm>, EFS Submission User Manual - ePAVE)